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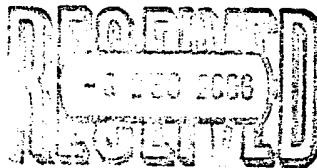
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Date

08.12.06

Reference 3121EP0W	Application No./Patent No. 03772678.3 - 2401 PCT/JP0314339
Applicant/Proprietor Takeda Pharmaceutical Company Limited	

### COMMUNICATION

The European Patent Office herewith transmits as an enclosure the supplementary European search report under Article 157(2)(a) EPC for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

- ☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

### Refund of the search fee

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





European Patent  
Office

**SUPPLEMENTARY  
PARTIAL EUROPEAN SEARCH REPORT**

Application Number

which under Rule 45 of the European Patent Convention shall be considered, for the purposes of subsequent proceedings, as the European search report

EP 03 77 2678

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
X	DATABASE WPI Week 199933 Derwent Publications Ltd., London, GB; AN 1999-389392 XP002409431 -& JP 11 152228 A (OTSUKA PHARM CO LTD) 8 June 1999 (1999-06-08) * abstract *	1-35	INV. C12N15/09 C12Q1/02 C12Q1/68 G01N33/15 G01N33/50 G01N33/53 C07K14/47
X	KATSUMA SUSUMU ET AL: "Global analysis of differentially expressed genes during progression of calcium oxalate nephrolithiasis" BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, vol. 296, no. 3, 23 August 2002 (2002-08-23), pages 544-552, XP008071150 ISSN: 0006-291X * abstract * * figure 5 *	1-35	A61K31/7088 A61K39/395 A61K45/00 A61K48/00 G01N33/68
			TECHNICAL FIELDS SEARCHED (IPC)
			G01N
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
<b>INCOMPLETE SEARCH</b>			
The Search Division considers that the present application, or some or all of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for the following claims:			
Claims searched completely :			
Claims searched incompletely :			
Claims not searched :			
Reason for the limitation of the search: see sheet C			
Place of search	Date of completion of the search	Examiner	
The Hague	28 November 2006	Gundlach, Björn	
CATEGORY OF CITED DOCUMENTS		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons ..... & : member of the same patent family, corresponding document	
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document			

3  
EPO FORM 1503 03.02 (P04C20)



DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (IPC)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
X	RAE F K ET AL: "Novel association of a diverse range of genes with renal cell carcinoma as identified by differential display" INTERNATIONAL JOURNAL OF CANCER, NEW YORK, NY, US, vol. 88, no. 5, 1 December 2000 (2000-12-01), pages 726-732, XP002274523 ISSN: 0020-7136 * abstract *	1-35	
X	SUGAWARA FUMIAKI ET AL: "Human TSC-22 gene: No association with type 2 diabetes" INTERNAL MEDICINE (TOKYO), vol. 40, no. 10, October 2001 (2001-10), pages 993-997, XP008071120 ISSN: 0918-2918 * abstract * * page 995 - page 997 *	1-35	TECHNICAL FIELDS SEARCHED (IPC)
A	ISMAIL N ET AL: "RENAL DISEASE AND HYPERTENSION IN NON-INSULIN-DEPENDENT DIABETES MELLITUS" KIDNEY INTERNATIONAL, NEW YORK, NY, US, vol. 55, no. 1, January 1999 (1999-01), pages 1-28, XP008071118 ISSN: 0085-2538 * the whole document *	1-35	



Although claims 34 and 35 are directed to a diagnostic method practised on the human/animal body (Article 52(4) EPC), the search has been carried out and based on the alleged effects of the compound/composition.

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Claim(s) searched incompletely:  
34,35

Reason for the limitation of the search (non-patentable invention(s)):

Article 52 (4) EPC - Diagnostic method practised on the human or animal body

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Further limitation of the search

Claim(s) not searched:  
32,33

Reason for the limitation of the search:

Present claims 32 and 33 relate to the use of compounds which have a given desired property or effect, namely being suppressants of TSC-22. However, the description does not provide support and disclosure in the sense of Article 84 and 83 EPC for any such compound having the said property or effect and there is no common general knowledge of this kind available to the person skilled in the art. This non-compliance with the substantive provisions is to such an extent, that a meaningful search of the whole claimed subject-matter of the claim could not be carried out (Rule 45 EPC and Guidelines B-VIII, 3).

Consequently, no search for subject-matter of claims 32 and 33 was carried out.

EP 03 77 2678

28-11-2006

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
JP 11152228	A	08-06-1999	NONE	

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